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OFFICE OF PETITIONS

In re Application of :
Sergio Restelli, et al. :
Application No. 10/522,891 : ON PETITION
Filed: February 1, 2006 :
Attorney Docket No. 2504-1159 :

This is a decision in response to a petition under 37 CFR 1.181 to withdraw the holding of abandonment filed July 21, 2006.

Petitioners explain that an amendment was timely filed on January 17, 2006 in response to a non-final Office action mailed October 14, 2006; however, the amendment was directed to an incorrect application number. Petitioners suggest that the Office considers the application to be abandoned and request that the abandonment be withdrawn. A corrected copy of the amendment filed January 17, 2006 accompanies the petition.

A review of the record fails to disclose that an abandonment has occurred in this application. In fact, the response filed January 17, 2006 appears to have been appropriately handled in accordance with MPEP 508.03, as it is present in the file.

Under the circumstances, the petition is DISMISSED AS MOOT.

This application is being referred to Technology Center AU 3767 for consideration of the amendment filed January 17, 2006.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3204.

Sherry D. Brinkley
Petitions Examiner
Office of Petitions